

**Amendment No. 3 to SB1768**

**Henry  
Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 1768**

**House Bill No. 1010\***

by deleting subsection (a) of § 8-21-401 of the amendatory language of SECTION 17 of Amendment No. 1 and substituting instead the following language:

(a) Except as provided otherwise by law, the costs provided in this statute in civil cases are chargeable and may be collected at the time the services are requested from the clerk or other officer of the court; however, nothing in this statute should be construed to limit the ability of a party to initiate a judicial proceeding by filing a pauper's oath. In cases where payment of the clerk's fees would create a substantial hardship for a party, judges are encouraged to use the discretion provided in Rule 29 of the Tennessee Rules of the Supreme Court to find that the party is indigent even if that person does not meet the Legal Services Corporation's poverty guidelines. If a party, other than a party who initiated a proceeding under a pauper's oath, pays costs at the time the services are requested, such payment shall be deemed to satisfy the requirement for security to be given for costs pursuant to § 20-12-120. In proceedings covered by subdivision (b)(1)(A), below, and in workers compensation complaints, the attorney filing the action shall have the option to sign a cost bond in lieu of the party paying the clerk's fees at the time services are requested. These requirements for fees to be paid or security provided when services are requested from the clerk do not apply in criminal cases. The fees listed below do not include officer's fees as provided for in § 8-21-901 and elsewhere. These fees also do not include state and local litigation taxes.